

**TOWN OF CUSHING
SELECTMEN MEETING**

March 24, 2008

CUSHING COMMUNITY CENTER

Selectmen Present: Alton Grover, Peter Haviland, Robert Worthing, Randolph Robbins, and Robert Stackpole Jr.

Staff Present: Town Clerk Lisa Young

Board approved Warrant #14, #15, & #16

The meeting was called to order at 6:00 PM. Robert Worthing motioned, Randolph Robbins seconded, to approve the March 10, 2008 meeting as amended. The motion passed.

Board Approved 4-0-0

Chairman Alton Grover called for a motion to elect a new chairman for the 2008/2009 year. Peter Haviland motioned, Randy Robbins seconded to elect Alton Grover as Chairman of the Board of Selectmen. The motion passed.

Board Approved 5-0-0

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Changes to the Agenda

Ordinance Committee Chairman Marilyn Barnum addressed the Board with three items. She made a request for the Board to post a notice for a hearing for the Coastal Water Management Ordinance and a Cell Tower Ordinance, the Cell Tower Ordinance was just completed and sent to the Selectmen to review, she made a request that the Cell Tower Ordinance, if approved, become retroactive to the date of the hearing, and asked the Board to appoint a new member to the Ordinance Committee.

In regard to the Cell Tower Ordinance the Selectmen questioned why such a rush and voiced their concern with the retroactive condition. Marilyn stated that there are two important factors; a process needs to be established for locating where cell towers will be placed and that evidence be shown that the cell tower does not emit harmful radiation, especially to children, since the proposed tower is close to the Cushing Community School. Selectman Robert Worthing noted that they had discussed before the importance of a citizen petition to find the depth of interest from the public before an ordinance is presented to the people. Marilyn Barnum stated that the Selectmen had approved the Committees bylaws that state that the Ordinance Committee can initiate an ordinance. Town Clerk Lisa Young reminded the Board that in their Municipal Handbook it states that the Board of Selectmen can initiate an ordinance or by a citizens petition. Planning Board Member Robert Ellis stated that back in April 2007 there was concern that the Board of Selectmen were voting on issues that were not on the agenda which did not give the public advance notice in case they wanted to voice their concern. At that time, the Board agreed that all requests for items to be added to the agenda must be received on the

Friday preceding the Monday Selectmen Meeting. Mr. Ellis feels that the Board should not make a decision on the ordinances tonight since they were not on the agenda. He stated that any such ordinance should come to the Town via a citizen's initiative. Lastly, he noted that he had brought up the discussion before that Land Use Ordinances should be voted on in November when the Town historically has larger voter turn out. CEO Scott E. Bickford noted that only the Planning Board can schedule a land use hearing and recommended the Board look at their land use law book for clarification.

Robert Ellis stated it is premature to be reading the Cell Tower Ordinance. He felt Mr. Cobey was responsible for raising fears of cell tower radiation to Judith Harvey, Superintendent of SAD#50, and that he alone wrote the ordinance. He stressed that the Board get David Cobey under control! Selectman Peter Haviland confirmed that David Cobey had written a letter to the Superintendent and that David had contacted him to advise that a school board meeting conflicted with tonight's Selectmen Meeting so he was unable to be present. After a brief scan of the Cell Tower Ordinance the Board found various problems. Robert Worthing voiced his concern over some of the statements in the Cell Tower Ordinance and the general process of enacting ordinances. Robert Ellis stated that all ordinances should be treated the same he feels there needs to be a general procedure that fits every ordinance. Ordinance Committee Member, James Tower, noted that adding a retroactive condition is an invitation to spending time. He recommended the Town hire a professional planner. After a brief discussion on the pros and cons of hiring a professional planner; Marilyn Barnum requested that the Coastal Water Management Ordinance and the Cell Tower Ordinance be put on the agenda for next meeting.

Chairman Alton Grover read a letter from resident Mark Ames expressing his interest in becoming a member of the Ordinance Committee if an opening should become available. After a brief discussion the Board decided that they should advertise the opening. Robert Worthing motioned, Alton Grover seconded, to advertise the opening for an Ordinance Committee Member by placing a notice at the Town Office and Chester Knowles will put it on the e-mail directory. The motion passed.

Board approved 5-0-0

Selectman Peter Haviland motioned, Randolph Robbins seconded, to approve up to \$400.00 for Trio, the Towns' software company, to come to Cushing to train Treasurer Janet Plona, and Town Clerk Lisa Young on several of the programs. The motion passed.

Board Approved 5-0-0

Unfinished Business

Accept resignation letter from Ordinance Committee Member Daniel Staples- Peter Haviland motioned, Robert Worthing seconded, to accept Daniel Staples resignation from the Ordinance Committee. The motion passed.

Board Approved 5-0-0

New ballot box- Town Clerk Lisa Young reminded the Board that the Town will need a larger ballot box. Chairman Alton Grover will contact the prison to see if the woodworking department will make one.

New Business-

Appointments- The Board approved and signed the following appointments: Town Clerk, Deputy Tax Collector, and Deputy Treasurer- Lisa Young, Deputy Town Clerk, and Deputy Registrar- Sandra Blanchard, Tax Collector-Irene Vinal, Treasurer- Janet Plona, CEO/LPI-Scott E. Bickford, Addressing Officer-Joseph Carr, Health Officer- Susan McBean, HarborMaster- Daniel Staples, Shellfish Warden- Neil Pollis, Animal Control Officer- Kyle Martin, Deputy Fire Chief- Peter McBean, Assistant Fire Chief- Joseph Yamello, Ordinance Committee Members- Judy Knowlton, and Robert Huckle, Secretary/Treasurer Recreation Department- Kathy Robinson, Sealer of Weights and Measures- Robert Wiggin, Harbor Committee Member- Orman Poland, Appeals Board Member- Cabot Lyman, Emergency Management Director and Fire Chief- Arthur Kiskila

Selectmen Duties- Alton Grover – (Chairman): Selectmen Meetings, incoming mail, keeping Board informed, agenda, newsgroups, GA Administrator, oversees local and state roads, Legal and MMA Representative

Peter Haviland: Board Representative to the Shellfish Committee, Knox County Departments and Committees, Recycling Committee, Building's and Property Committee, Waldoboro Transfer Station, and Harbor Committee.

Randolph Robbins: Ordinance Committee and Insurances.

Robert Worthing: Cemetery Board, Rescue Squad, responsible to the Board for employees for all Departments and Members of all Committees, back – up GA Administrator, Internal audits of Treasurer, Town Clerk and Tax Collector and oversees office operations.

Robert Stackpole: Recreation Department and Grant Coordinator.

Sign Interstate Septic Contract- Due to the approval of Article fifteen at the March Town Meeting for the Town to raise and appropriate \$2,300.00 for the Septic Tank Waste Disposal Contract the Board signed the contract.

CEO/LPI to address Selectmen- CEO/LPI Scott Bickford requested approval for a consent agreement from the Board due to a taxpayer that failed to file a building permit, plumbing permit, and started and completed construction during the Moratorium. Chairman Alton Grover motioned, Robert Worthing seconded, to accept and sign the consent agreement. The motion passed.

Board Approved 5-0-0

Chairman Alton Grover reminded the Board that they still do not have the paper work finalized for the National Flood Insurance Program. He informed the Board that he had spoken with Emergency Management Director Arthur Kiskila and Planning Board Chairman Daniel Remian and that they are willing to help get the paper work finished. The item that is holding up the progress is the Town has to go back to 1990 and report any changes that have occurred to properties in the flood zone area since that date. Robert Ellis noted that as soon as the digital maps are available it will help to find out which properties are in the flood zone.

Robert Worthing motioned, Alton Grover seconded, adjourning at 7:48 PM. The motion passed.

Board Approved 5-0-0

Respectfully submitted,
Lisa Young
Recording Secretary
Town Clerk